

REMARKS

The outstanding Office Action objects to the specification and rejects claims 1-3 under 35 U.S.C. §102(b) as being anticipated by Dugas (U.S. Patent No. 5,984,334).

The Office Action also states that claims 7-21 are allowable and that claims 4-6 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Reconsideration of the application is respectfully requested based on the following remarks. Claims 1, 5, 6, 7, 14, 15, and 20 have been amended to further clarify the subject matter regarded as the invention. Claims 2-4 have been canceled. Claims 1 and 5-21 are now pending in this application.

OBJECTIONS TO INFORMALITIES IN THE SPECIFICATION

The changes suggested by the Office Action have been made to the specification in order to correct the informalities in the specification. As required by the revised amendment practice of July 30, 2003, the replacement abstract is provide on a separate sheet that accompanies this Amendment A.

OBJECTED TO CLAIMS 4-6 WHICH ARE ALLOWABLE IF REWRITTEN IN INDEPENDENT FORM

Claim 1 has been rewritten to include the limitations of claims 2-4 and therefore is now submitted to be in patentable form. Claims 5 and 6, which depend either directly or indirectly from claim 1, are also submitted to be in patentable form.

ALLOWABLE SUBJECT MATTER

As stated in the office action, claims 7-21 are in allowable form.

SUMMARY

It is respectfully submitted that all pending claims are allowable and that this case is now in condition for allowance. Should the Examiner believe that a telephone conference would

expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

If any fees are due in connection with the filing of this Amendment, the Commissioner is authorized to deduct such fees from the undersigned's Deposit Account No. 50-0388 (Order No. SHIBP008).

Respectfully submitted,
BEYER WEAVER & THOMAS, LLP



Phillip P. Lee
Reg. No. 46,866

BEYER WEAVER & THOMAS, LLP
P.O. Box 778
Berkeley, CA 94704-0778

Telephone: (510) 843-6200
Facsimile: (510) 843-6203

Replacement Abstract on a separate sheet as required by the revised amendment practice of July 30, 2003

Please replace the abstract beginning at page 32, line 2, with the following rewritten abstract:

A wheelchair has actuation plates provided in juxtaposition with the seat to descend when a user sits on the seat to lower the seat with the user's weight and to ascend when the user rises from the seat to permit the seat to return with removal of the weight[L]. A brake means is mounted on the axle shafts to brake the axle shafts and energized constantly in a non-braking direction[L], and levers Levers are coupled directly or indirectly to the brake means to move according to descending motions of the actuation plates to act on the brake means to put the brake means in a non-braking state and to move according to ascending motions of the actuation plates to act on the brake means to put the brake means in a braking state. Biasing devices for evacuating legs that extend from the seat and/or steps that are mounted onto the legs.